



Security Council

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7 November 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 7 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance, cause provocation and drop heat flares continued over the period 21-31 October 1994.

21 October 1994

Southern region: 93 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Qurnah, Busayyah, Jalibah, Artawi, Chabaish, Sha'biyah and Safwan.

From 1805 hours on 21 October 1994, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace over Rifa'i, Qal'at Sukkar, the area to the south of Diwaniyah, Shanafiyah and Artawi. It left in the direction of Kuwait at 1900 hours.

22 October 1994

Southern region: 95 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qal'at Salih, Basra, Qurnah, Artawi, Jalibah and Busayyah.

At 2100 hours on 22 October 1994, a United States aircraft dropped three heat flares in the Tuwayrat area of Dhi Qar Governorate.

23 October 1994

(a) Northern region: 11 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Zakho, Amadiyah, Tall Afar, Dohuk, Ayn Zalah and Aqrah.

(b) Southern region: 122 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Artawi, Jalibah,

Basra, Chabaish, Nasiriyah, Busayyah, Samawah, Salman, Amarah, Ushbayjah and Qal'at Salih.

Between 0904 and 2214 hours on 23 October 1994, five United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0904 hours and left in the direction of Kuwait at 1010 hours.
2. The second flight entered Iraqi airspace at 1107 hours and left in the direction of Saudi Arabia at 1340 hours.
3. The third flight entered Iraqi airspace at 1755 hours and left in the direction of Kuwait at 1905 hours.
4. The fourth flight entered Iraqi airspace at 2050 hours and left in the direction of Kuwait at 2116 hours.
5. The fifth flight entered Iraqi airspace at 2100 hours and left in the direction of Saudi Arabia at 2214 hours.

24 October 1994

(a) Northern region: 23 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dokuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 138 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Amarah, Samawah, Basra, Salman, Qurnah, Chabaish, Ushbayjah and Artawi.

Between 0915 and 2132 hours on 24 October 1994, four United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0915 hours and left in the direction of Kuwait at 1007 hours.
2. The second flight entered Iraqi airspace at 1120 hours and left in the direction of Kuwait at 1214 hours.
3. The third flight entered Iraqi airspace at 1757 hours and left in the direction of Kuwait at 1905 hours.
4. The fourth flight entered Iraqi airspace at 2020 hours and left in the direction of Kuwait at 2132 hours.

25 October 1994

(a) Northern region: 9 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Zakho, Dohuk and Amadiyah.

(b) Southern region: 124 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qal'at Salih, Basra, Qurnah, Jalibah, Artawi and Busayyah.

Between 0924 and 2125 hours on 25 October 1994, four United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0924 hours and left in the direction of Kuwait at 1015 hours.
2. The second flight entered Iraqi airspace at 1117 hours and left in the direction of Kuwait at 1225 hours.
3. The third flight entered Iraqi airspace at 1758 hours and left in the direction of Kuwait at 1905 hours.
4. The fourth flight entered Iraqi airspace at 2025 hours and left in the direction of Kuwait at 2125 hours.

26 October 1994

(a) Northern region: 19 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Zakho, Amadiyah, Dohuk, Aqrah, Irbil, Raniyah, Tall Afar, Shaqlawah and Ayn Zalah.

(b) Southern region: 80 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Artawi, Nasiriyah, Samawah, Jalibah, Qurnah, Ushbayjah, Shatrah and Salman.

Between 0910 and 1920 hours on 26 October 1994, five United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0910 hours and left in the direction of Kuwait at 1010 hours.
2. The second flight entered Iraqi airspace at 1044 hours and left in the direction of Kuwait at 1320 hours.
3. The third flight entered Iraqi airspace at 1105 hours and left in the direction of Kuwait at 1215 hours.
4. The fourth flight entered Iraqi airspace at 1332 hours and left in the direction of Kuwait at 1410 hours.

/...

5. The fifth flight entered Iraqi airspace at 1810 hours and left in the direction of Kuwait at 1920 hours.

27 October 1994

(a) Northern region: 19 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 84 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Qurnah, Samawah, Amarah, Salman, Ushbayjah, Artawi, Jalibah and Sha'biyah.

Between 0855 and 2129 hours on 27 October 1994, four United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0855 hours and left in the direction of Kuwait at 1000 hours.
2. The second flight entered Iraqi airspace at 1055 hours and left in the direction of Kuwait at 1200 hours.
3. The third flight entered Iraqi airspace at 1805 hours and left in the direction of Kuwait at 1914 hours.
4. The fourth flight entered Iraqi airspace at 2020 hours and left in the direction of Kuwait at 2129 hours.

28 October 1994

(a) Northern region: 19 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar, Amadiyah and Ayn Zalah.

(b) Southern region: 74 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Basra, Qal'at Salih, Jalibah, Artawi, Qurnah and Busayyah.

Between 1045 and 2030 hours on 28 October 1994, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 1045 hours and left in the direction of Kuwait at 1330 hours.
2. The second flight entered Iraqi airspace at 1933 hours and left in the direction of Kuwait at 2030 hours.

29 October 1994

Southern region: 83 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Busayyah, Jalibah, Nasiriyah, Artawi, Qurnah, Maymunah, Salman, Samawah and Umm Qasr.

At 1830 hours on 29 October 1994, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace over Jalibah, Busayyah, Qal'at Sukkar, Nasiriyah, the area to the south of Diwaniyah, Samawah and Artawi. It left in the direction of Kuwait at 1942 hours.

At 1245 and 1430 hours on 29 October 1994, a remotely piloted aircraft flying at a speed of 180-360 kilometres per hour and at an altitude of 2,000 metres violated Iraqi airspace in Basra Governorate. It left in the direction of Kuwait at 1523 hours.

30 October 1994

(a) Northern region: 21 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar and Amadiyah.

(b) Southern region: 85 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Amarah, Samawah, Busayyah, Qurnah and Qal'at Salih.

On 30 October 1994, four United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0910 hours and left in the direction of Kuwait at 1020 hours.
2. The second flight entered Iraqi airspace at 1105 hours and left in the direction of Kuwait at 1220 hours.
3. The third flight entered Iraqi airspace at 1840 hours and left in the direction of Kuwait at 1930 hours.
4. The fourth flight entered Iraqi airspace at 2015 hours and left in the direction of Kuwait at 2113 hours.

31 October 1994

(a) Northern region: 29 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho, Ayn Zalah and Amadiyah.

(b) Southern region: 75 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qal'at Salih, Basra, Artawi, Qurnah and Busayyah.

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Between 0900 and 1905 hours on 31 October 1994, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0900 hours and left in the direction of Kuwait at 1010 hours.
2. The second flight entered Iraqi airspace at 1100 hours and left in the direction of Kuwait at 1207 hours.
3. The third flight entered Iraqi airspace at 1802 hours and left in the direction of Kuwait at 1905 hours.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative



Security Council

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7 November 1994
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ORIGINAL: ARABIC

LETTER DATED 7 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I should like to inform you that in the early morning hours of Sunday, 6 November 1994, at 0035 hours, 0040 hours and 0130 hours local time, Iranian armed forces perpetrated blatant military aggression by firing from inside Iranian territory, in the region of Naft-e Shah, three Scud ground-to-ground missiles into Iraqi territory to a depth of over 80 kilometres. As a result of this Iranian aggression, physical injury was caused to individuals and property.

That Iranian aggression constitutes a gross violation of Iraq's sovereignty and territorial integrity, as well as a serious breach of the cease-fire provisions of Security Council resolution 598 (1987). It also violates the Charter of the United Nations.

While wishing to affirm that it reserves its right to legitimate defence against aggression by such means as it deems fit and that the Iranian Government bears the international responsibility arising from that aggression, the Government of Iraq also reminds the Security Council that, on more than one occasion, the Iranian Government has clearly exploited the imposition of the embargo on Iraq to perpetrate aggression against it, thus necessitating an earnest search for ways of guaranteeing that Iraq is able to defend itself, particularly since the Security Council resolutions which imposed the embargo on Iraq have affirmed the respect of the United Nations and its Member States for the independence and integrity of Iraq.

I should be grateful if you would have this document circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative





General Assembly
Security Council

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GENERAL

A/49/646
S/1994/1261
7 November 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda items 38, 40 and 76
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-ninth year

Letter dated 7 November 1994 from the Permanent Observer
for Palestine to the United Nations addressed to the
Secretary-General

I have been instructed to bring the following to your attention:

Israel, the occupying Power, has introduced certain measures dividing Al-Haram Al-Ibrahimi in the city of Al-Khalil in the occupied Palestinian territory. Although those measures are portrayed by the Israeli Government as security measures for the purpose of decreasing tension, the fact of the matter remains that the measures are aimed at creating a new illegal de facto situation, attempting to establish Israeli rights with regard to Al-Haram Al-Ibrahimi.

The presence of the Israeli settlers is illegal, violating the Fourth Geneva Convention of 12 August 1949 and several Security Council resolutions. Those settlers were brought there illegally, were maintained illegally, and should not be accorded any rights or privileges. Attempts to legitimize their presence should be opposed and condemned by the international community. Al-Khalil remains a Palestinian-Arab city and Al-Haram Al-Ibrahimi remains a Palestinian-Arab Islamic shrine, and their status should not be tampered with.

In addition, the Israeli measures mentioned above violate the spirit and letter of the Declaration of Principles on Interim Self-Government Arrangements, signed on 13 September 1993 by the Palestine Liberation Organization and the Government of Israel (A/48/486-S/26560, annex).



A/49/646
S/1994/1261
English
Page 2

I would be grateful if you would arrange to have the text of the present letter distributed as an official document of the General Assembly, under agenda items 38, 40 and 78, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations



General Assembly
Security Council

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A/49/647
S/1994/1262
7 November 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 148
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Forty-ninth year

Letter dated 7 November 1994 from the Permanent
Representative of Croatia to the United Nations
addressed to the Secretary-General

I would like to draw your attention to a new, recurring act of Serbian aggression against the Republic of Croatia. Yesterday evening, 6 November 1994, at approximately 1810 hours, Serbian paramilitary units from the territory of the Republic of Bosnia and Herzegovina launched a combined missile and artillery attack against the Croatian city of Zupanja and its surroundings. The Bosnian Serbs used multiple rocket launchers and 155 mm howitzers. A total of 30 missiles and 4 artillery shells of various calibers were fired, causing considerable material damage in the city. The attack ceased only after 2100 hours.

I should also like to reiterate the statements from the previous letters (S/1994/960, S/1994/969, S/1994/982, S/1994/987, A/49/383-S/1994/1052, A/49/393-S/1994/1062 and S/1994/1213) addressing the same issue, in which my Government emphasized that it considers the continuation of the present situation as a threat to the security and territorial integrity of the Republic of Croatia. The ongoing peace process and stability in the wider region are seriously jeopardized by such acts of aggression by the Bosnian Serbs, and this series of events must not be allowed to continue unabated.

I would kindly request distribution of the present letter as a document of the General Assembly, under agenda item 148, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative





General Assembly
Security Council

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A/49/648
S/1994/1263
8 November 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 51
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-ninth year

Letter dated 8 November 1994 from the Permanent
Representative of Cyprus to the United Nations
addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith a letter from H.E. the President of the Republic of Cyprus, Mr. Glafcos Clerides, dated 8 November 1994, addressed to you.

I should be grateful if the text of the present letter could be circulated as a document of the forty-ninth session of the General Assembly, under item 51, and of the Security Council.

(Signed) Alecos SHAMBOS
Permanent Representative
of the Republic of Cyprus



Annex

Letter dated 8 November 1994 from the President of
Cyprus addressed to the Secretary-General

I am addressing this letter to you at a time of great frustration and disappointment among the people of Cyprus regarding the failure of the informal meetings between Mr. Denktas and myself to make progress. The people of Cyprus recognize your untiring efforts and appreciate your wish not to leave any stone unturned in the exercise of your good offices that might open the way to making progress towards the solution of the problem.

I feel, however, duty bound to inform you that the round of the five informal talks I had with Mr. Denktas established beyond doubt two things: firstly, that the positions on the main issues postulated by Mr. Denktas are in fact the policy of Turkey and, secondly, that neither Mr. Denktas nor Turkey have the political will required for the solution of the Cyprus problem.

Both Turkey and Mr. Denktas reject all Security Council resolutions, including paragraph 2 of resolution 939 (1994) regarding a solution based on a bicomunal, bizonal federation with a single indivisible sovereignty, and are adamant in their demand for recognition of separate sovereignty for the Federal State and separate sovereignty for each of the federated component units.

Both Turkey and Mr. Denktas are adamant in rejecting that the Federal Republic of Cyprus can become a member of the European Union.

Equally, your definition of political equality is rejected both by Turkey and Mr. Denktas and both are adamant in their demand for equal representation in the Federal Council of Ministers, consensus decisions and Presidency by rotation.

Finally both reject any amendment of the Treaties of Guaranty and Alliance, as concerns the guarantors and as concerns the "unilateral right of intervention". They also reject total demilitarization.

It is also clear that, despite my commitment to discuss and accept a solution within the parameters defined in Security Council resolutions and reaffirmed in paragraph 2 of resolution 939 (1994), neither Turkey nor Mr. Denktas are willing to discuss and accept a solution within such parameters. It is, therefore, imperative that, in your report to the Security Council, responsibility for the failure to make progress should be attributed to Turkey and the Turkish Cypriot leadership and that the Security Council should be asked to consider and adopt measures against the side that flouts its resolution.

Although I agree that Mr. Feissel should keep in contact with both sides, the purpose of such contacts should not be to prepare formal or informal meetings that are bound to fail. Progress can be made only if there is a change of attitude by Turkey on the main issues and in particular on the issues of sovereignty, accession of Cyprus to the European Union and demilitarization.

A/49/648
S/1994/1263
English
Page 3

It is evident that, as long as Turkey and the Turkish Cypriot leadership insist on rejecting the substance of a federal solution as defined in United Nations resolutions, no progress in any form of talks can be made. Under such circumstances, I feel that further discussion of the confidence-building measures cannot be productive and in essence becomes meaningless.

Finally, it is my firm conviction that the time has come to consider and adopt a fundamental new method of promoting a solution and, as such, I hold the view that an international conference is necessary.

(Signed) Glafcos CLERIDES
President of the Republic of Cyprus



Security Council

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10 November 1994
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ORIGINAL: FRENCH

China, France, Russian Federation, United Kingdom of Great
Britain and Northern Ireland and United States of America:
draft resolution

The Security Council,

Recalling Chapter XII of the Charter of the United Nations which
established an international trusteeship system,

Conscious of its responsibility relating to strategic areas as set forth in
Article 83, paragraph 1, of the Charter,

Recalling its resolution 21 (1947) of 2 April 1947 by which it approved the
Trusteeship Agreement for the former Japanese Mandated Islands, since known as
the Trust Territory of the Pacific Islands, 1/

Noting that the Trusteeship Agreement designated the United States of
America as Administering Authority of the Trust Territory,

Mindful that article 6 of the Trusteeship Agreement, in conformity with
Article 76 of the Charter, obligated the Administering Authority, inter alia, to
promote the development of the inhabitants of the Trust Territory towards self-
government or independence as may be appropriate to the particular circumstances
of the Trust Territory and its peoples and the freely expressed wishes of the
peoples concerned,

Aware that, towards this end, negotiations between the Administering
Authority and representatives of the Trust Territory began in 1969 and resulted
in the conclusion of a Compact of Free Association in the case of Palau,

Satisfied that the people of Palau have freely exercised their right to
self-determination in approving the new status agreement in a plebiscite
observed by a visiting mission of the Trusteeship Council and that, in addition

1/ Trusteeship Agreement for the Trust Territory of the Pacific Islands
(United Nations publication, Sales No. 1957.VI.A.1).



to this plebiscite, the duly constituted legislature of Palau has adopted a resolution approving the new status agreement, 2/ thereby freely expressing their wish to terminate the status of Palau as a Trust Territory,

Taking note of resolution 2199 (LXI) of the Trusteeship Council of 25 May 1994,

Determines, in the light of the entry into force on 1 October 1994 of the new status agreement for Palau, that the objectives of the Trusteeship Agreement have been fully attained, and that the applicability of the Trusteeship Agreement has terminated with respect to Palau.

2/ Republic of Palau Public Law Nos. 376 of 20 August 1992 and 4-9 of 16 July 1993 as adopted by the Olbiil Era Kelulau (Palau National Congress).



Security Council

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S/1994/1265
8 November 1994

ORIGINAL: ENGLISH

LETTER DATED 4 NOVEMBER 1994 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of a note verbale dated 4 October 1994 from the Secretariat of State for Foreign Affairs of the Dominican Republic that was delivered to me on 11 October 1994 by the Permanent Representative of that country to the United Nations.

In the letter, the Government of the Dominican Republic submits an application under Article 50 of the Charter of the United Nations for consultations with the Security Council regarding economic losses sustained by the Dominican Republic as a result of the mandatory sanctions imposed until recently on Haiti by the Council.

Since consultations under Article 50 fall within the purview of the Security Council, you may wish to bring the matter to the attention of the members of the Council.

(Signed) Boutros BOUTROS-GHALI



[Original: English and Spanish]

Annex

Note verbale dated 4 October 1994 from the Secretariat
of State for Foreign Affairs of the Dominican Republic
addressed to the Secretary-General

The Secretariat of State for Foreign Affairs of the Dominican Republic presents its compliments to H.E. Mr. Boutros Boutros-Ghali, Secretary-General of the United Nations, and requests that, with his approval, the attached Memorandum of the Government of the Dominican Republic relating to the implementation of Security Council resolutions 841 (1993) and 917 (1994) on Haiti be transmitted to the Security Council.

[Original: English and Spanish]

Appendix I

Memorandum of the Government of the Dominican Republic concerning
the economic losses of the Dominican Republic associated with the
application of the United Nations embargo against the Republic of
Haiti

1. The Government of the Dominican Republic fully supports Security Council resolutions 841 (1993) and 917 (1994). The Dominican Republic, as the only neighbouring State of Haiti, plays a crucial role in ensuring international compliance with the Security Council resolutions. The Dominican Government is committed to accepting its obligations under these resolutions and has re-enforced the embargo against the Republic of Haiti in the best possible way.
2. The Dominican Government had made this commitment despite the direct and indirect losses to the Dominican economy caused by the embargo imposed on Haiti (see appendix II).
3. Traditionally, over the centuries, Haiti and the Dominican Republic have been major trading partners. Formal and informal trading has been a way of life and a source of livelihood in the border area, and nationals of both countries have been accustomed to crossing the border to attend national festivals and practice their traditions and customs. The embargo has put an end to these activities and led to the collapse of trade throughout the border area. The situation has brought about a serious decline in economic production in various sectors and growing unemployment and has made it extremely difficult for the inhabitants of this vast region to eke out a living.
4. The Dominican Republic has complied with Security Council resolutions 841 (1993) and 917 (1994) regarding this as an absolute necessity and deploying its Armed Forces to guard the border between the two Republics in faithful, full observance of the terms of the embargo. This has meant that the entire budget for our Armed Forces for 1994 has been spent on such operations.
5. We also wish to inform you that, under the Lomé Convention, joint plans for development in the border area were being implemented; these activities have been brought to a standstill, depriving both nations of their benefits and causing the inhabitants of this part of the country to endure significant hardship.
6. All the aforementioned economic losses are unprecedented and have greatly impoverished the economy of the Dominican Republic, because the latter is the only country bordering on Haiti.
7. In view of the foregoing considerations and in conformity with Article 50 of the Charter of the United Nations, which provides that "if preventive or enforcement measures against any State are taken by the Security Council, any other State, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those

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measures shall have the right to consult the Security Council with regard to a solution of those problems", the Government of the Dominican Republic requests the Secretary-General that consideration be given to the possibility of providing economic compensation to the Dominican Republic for the major financial outlay and losses we have suffered to date as a result of the implementation of the aforementioned resolutions.

8. Under separate cover, we are submitting the report of the Central Bank of the Dominican Republic on this subject (see appendix II).

[Original: Spanish]

Appendix II

Central Bank of the Dominican Republic
Departments of National Accounts and Monetary Planning

Report dated 3 October 1994 on

"The economic impact of the embargo against
Haiti on the Dominican Republic"

I. OBJECTIVE AND SCOPE

1. This report constitutes an initial effort to quantify the effect on the Dominican economy of the economic embargo against Haiti after it was imposed by a decision of the Security Council.
2. The Dominican Government began complying with the aforesaid measure on the date required; however, because of difficulty in reconciling the data available at the time that this report was prepared, only the period from January to September 1994 will be considered for purposes of analysis.

II. METHODOLOGY

3. In order to fulfil the objective set, the impact in three major areas has been taken into consideration. First, the direct effects on governmental finances have been quantified through budget outlays. Next, the effect on foreign trade, both formal and informal, has been measured and, lastly, some side-effects linked to the application of the embargo have been listed.

III. EFFECTS OF THE EMBARGO

4. Because of the need to strengthen actions to ensure strict compliance with the embargo, the Dominican Government sharply increased the 1994 budget allocations for the Secretariat of the Dominican Armed Forces for such items as personnel services, non-personnel services and equipment and supplies. There were also large increases in similar items for the hospitals serving the border area, in the budget of the State Secretariat for Public Health and Social Welfare and in the social expenditure by the Office of the President of the Dominican Republic aimed at the part of Dominican territory most affected by the embargo.
5. Moreover, the informal trade in essential goods which had traditionally existed between the two countries collapsed. This exerted tremendous pressure on national producers of poultry meat, eggs, rice, pasta and toilet articles, among others, who were prevented from selling their goods at the weekly fairs (travelling markets) held in border localities or through visits by Haitians to local shops. The damage to formal trade was no less severe.
6. In social terms, the direct effects of the embargo were felt in the area through a substantial decrease in the income of residents of the border area. This, together with governmental restrictive measures aimed at controlling fuel costs, is said to have encouraged speculative activities, especially the transfer of fuel which, as it turned out, led to more than one tragedy.

A. Effect on governmental finances

7. The net result of the budget outlays of the national governmental bodies is estimated at 468.1 million Dominican pesos in current terms and at 425.5 million pesos after adjusting for inflation from January to September 1993 and from January to September 1994.

1. Military expenditure

8. As a result of the need to deploy a number of troops to ensure compliance with the embargo, the Dominican Armed Forces were compelled to increase their personnel by 2,763 persons. This was the basic cause of the increase of 45.7 million pesos, or 14.2 per cent, in outlays for personnel services 1/ under the armed forces budget for the period from January to September 1994 as compared with the same period in 1993.

9. The most notable increase in military expenditure was for equipment and supplies. 2/ The budgetary outlays for January to September 1994 showed an increase of 196.9 million pesos, or 129.1 per cent, over the same period in 1993.

10. In addition, the budget item relating to non-personnel services, which includes travel allowances and minor construction and repairs, increased by 11.8 million pesos, or 83.7 per cent, over the same period in the previous year.

11. Overall, the increases in the three items amounted to 248.6 million pesos, or 56.6 per cent. Even after adjusting for inflation from September 1993 to September 1994, this yielded an increase of 226 million pesos in the amount spent by the Secretariat of the Armed Forces from January to September 1994, as compared with the same months in 1993.

2. Health expenditure in the border area

12. Because of the pressures stemming from the demand for health services for Haitian nationals in the border area, the State Secretariat for Public Health and Social Welfare nearly doubled its budget estimates, which went from 86.3 million pesos in September 1993 to 166.5 million pesos in September 1994, for current expenditure by the hospitals located in the region of the country adjacent to Haitian territory.

13. It is estimated that the amount spent by the border hospitals from January to September 1994 on personnel services, equipment and supplies, and other items increased by 60.2 million pesos, or 93 per cent, over the same period in 1993 and by 54.7 million pesos after adjusting for inflation.

3. Outlays by the Office of the President of the Republic

14. The central Government, through the social welfare programme, incurred substantial costs in assisting the population of the border area affected by the decrease in economic activity. For example, mention can be made of Decree No. 210-94, in which the executive authority authorizes the Banco Agrícola to carry out a programme of rice sales at a cost of 2.15 pesos per pound, at a time when the domestic market price was 4.25 pesos per pound.

15. It is estimated that for this and other reasons, including the amount spent on maintaining and rehabilitating many of the main and local roads in the area, the central Government incurred costs of over 150 million pesos.

B. Foreign trade

16. As noted above, the foreign trade of the Dominican Republic with Haiti is conducted at both the formal and informal levels, with the latter clearly predominating. This segmentation does not, in principle, denote any difference between the two markets as regards the kind of goods traded. Foreign exchange losses in respect of trade between the two countries in the period January-September 1974 as compared with the same period in 1993 are estimated at some US\$ 63.6 million.

1. Formal trade

17. The figures concerning formal bilateral trade with Haiti indicate a decrease of US\$ 3.6 million in exports for the period January-September 1994 as compared with the same period in 1993. Moreover, such trade has been virtually non-existent since May 1994.

2. Informal trade

18. There are no figures which systematically reflect the informal trade between Haiti and the Dominican Republic. Nevertheless, experts on the subject estimate that such trade generates an amount seven or eight times greater than that generated by formal trade. On the basis of this ratio and considering that in 1993 the value of formal exports totalled US\$ 8 million, the goods traded at border fairs and through other channels would account for a value of some US\$ 60 millions.

19. Although it is difficult to determine what percentage of the total estimated amount was actually generated by trading during the application of the embargo, the enormous political pressure brought to bear on the Government in the early months of the year by political and civic organizations in the area calling for greater flexibility in the application of the embargo leads to the conclusion that the amount was virtually zero.

C. Side-effects of the embargo

20. The application of the embargo had many effects in the border region, some of the most important being:

- (a) Reduction of the average income of wage-earners and salaried employees in the main production sectors of the area;
- (b) Need for government subsidies for basic consumer products, such as rice;
- (c) Fuel shortage;
- (d) Deterioration in the quality of health services;
- (e) Small business failures;
- (f) Restrictions on travel within the area;
- (g) Loss of life.

21. Among these effects, the impact on the income of the inhabitants of the region is particularly noteworthy. The lack of information makes it impossible to quantify the other side-effects mentioned.

22. Labour force inquiries carried out by the Central Bank of the Dominican Republic show that from August 1993 to April 1994 the average hourly earnings of the inhabitants of the area fell by 45 per cent compared with national average earnings. There was a sharp decline in average earnings in the agricultural, manufacturing, trade and transport sectors, and it is estimated that in the trade sector alone, activity declined by more than 60 per cent.

23. The cost of this decline in earnings in the most depressed area of the country is difficult to evaluate, owing to the increased migratory flows it has generated and may continue generating in the future, possibly accompanied by increased Haitian migration.

IV. CONCLUSIONS

24. This approximate quantification of the cost to the Dominican Republic of applying the embargo against Haiti leads to the conclusion that the negative impact on government finances is somewhere in the range of RD\$ 468.1 million (US\$ 37.4 million), as a result of the increase in budget allocations to cover the rising expenditures of the Secretariats of State for the Armed Forces, Public Health and Social Welfare.

25. Furthermore, the foreign exchange losses resulting from the decline in foreign trade in both the formal and informal markets are estimated at about US\$ 63.4 million.

26. Lastly, the embargo has had a series of negative side-effects which have, to a greater or lesser degree, affected the quality of life of the inhabitants of the area and, whose impact cannot be quantified at this stage, except as regards the income of wage-earners and salaried employees in the main production sectors of the area, which declined on average by about 45 per cent immediately after the application of the embargo.

Notes

1/ Basically includes salaries for permanent posts, overtime, daily wages and representation expenses.

2/ Basically includes food, fabrics and clothing, chemical products and related items.

Table 1. Summary of the impact of the embargo against Haiti
on the Dominican Republic

	Negative impact	
	Millions of pesos	Millions of dollars a/
Increase in government expenditure	468.1	37.5
Foreign trade losses	795.0	63.6
Decline in income of employees in the area	45%	-

a/ Calculated at the average official exchange rate of
RD\$ 12.5 = US\$ 1.00.



Security Council

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S/1994/1266
8 November 1994

ORIGINAL: ENGLISH

LETTER DATED 8 NOVEMBER 1994 FROM THE PERMANENT
REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE
UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

The lives of 5 children and 1 woman became the latest tragic casualties and examples of how unsafe the "safe area" of Sarajevo has once again been allowed to become.

On Tuesday, 8 November 1994 at least six mortars were fired into civilian areas within Sarajevo. One mortar fell in front of a school killing four children and one woman while wounding many others. Another innocent child was killed by snipers, as once again the trams and streets of Sarajevo were targeted.

We must question as to why there has been no response to this latest attack upon the "safe area"/"exclusion zone". Do some within and without UNPROFOR consider this to be no longer part of their mandate, as has been signalled by recent communications from certain elements of UNPROFOR Command to the "Bosnian Serb" military command. We believe that the Security Council must now ascertain what de facto mandate is being enforced in the RBH and, in particular, the "safe area" of Sarajevo, and why there is an increasing tendency to overlook targeting and victimization of civilians within this "safe area"/"exclusion zone".

For those who may be so cynical to suggest otherwise, in the war in the RBH or in any other war military actions between armed forces on the battlefield cannot in any legal or moral fashion justify or mitigate these increasing attacks upon civilians within the "safe area" of Sarajevo or the tolerance of such attacks by those forces meant to counter them.

Contrary to trends in the Spring of 94, the citizens of Sarajevo, as a consequence of closure of the "Blue Route", denial of humanitarian assistance, increased sniping, and, now, shelling, are quickly approaching the depths of suffering, death and dismay seen only prior to the declaration of the Sarajevo "exclusion zone".



S/1994/1266

English

Page 2

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY

Ambassador

Permanent Representative



Security Council

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S/1994/1267
9 November 1994
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 7 NOVEMBER 1994 FROM THE CHARGE D'AFFAIRES A.I. OF
THE PERMANENT MISSION OF ZAIRE TO THE UNITED NATIONS ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you and all the members of the Security Council of the views of the Government of the Republic of Zaire concerning the wording of certain provisions of draft resolution S/1994/1168 on the establishment of an international criminal tribunal for the prosecution of persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and Rwandese citizens responsible for genocide and other such violations committed in the territory of neighbouring States, and, in particular, of certain articles of the annex thereto.

First, I wish to reassure the Council that the Government of Zaire recognizes the need for the establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in Rwanda.

However, the Government of Rwanda feels constrained to make the following substantive comments with regard to the annex to the draft resolution proposing the establishment of the Tribunal:

1. The introductory paragraph of the annex containing the statute of the International Tribunal states:

"Having been established by the Security Council acting under Chapter VII of the Charter of the United Nations, the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandese citizens responsible for genocide and other such violations committed in the territory of neighbouring States, between 1 January 1994 and 31 December 1994 (hereinafter referred to as the 'International Tribunal for Rwanda') shall function in accordance with the provisions of the present Statute".

The Government of Zaire is of the view that all States Members of the United Nations are bound by all measures adopted by the Security Council under Chapter VII of the Charter. It does not therefore understand the justification



for introducing a narrower concept of the collective responsibility of the international community by specifying "territory of neighbouring States". A better wording would be "territory of States Members of the United Nations".

The Government of Zaire requests the members of the Security Council to replace the phrase "territory of neighbouring States" wherever it appears in the text by the phrase "territory of States Members of the United Nations".

This remark applies to paragraph 1 of the draft resolution and to the introductory paragraph and articles 1, 7 and 8 of the annex (Statute of the International Tribunal).

2. With regard to article 7, entitled "Territorial and temporal jurisdiction", the Government of Zaire believes that the first sentence of this article is tantamount to imposing a decision on it. It cannot accept this provision unless the obligation to waive jurisdiction in favour of the International Tribunal is imposed on all States Members of the United Nations and is not limited only to neighbouring States, which are already suffering under the burden of the events inflicted on them by the crisis in Rwanda.

3. Article 8, concerning the "Concurrent jurisdiction" of the International Tribunal for Rwanda and national courts, would be clearer if the Security Council were to establish a simple rule whereby any judicial proceedings which revealed any link whatsoever with crimes committed in Rwanda should be halted by the national court and referred to the International Tribunal for Rwanda. As the text now stands, the primacy of the International Tribunal is not guaranteed, since to recognize a competence concurrent to both jurisdictions is tantamount to recognizing that the first to be notified of a case must carry that case to judgement. This would give rise to pointless jurisdictional conflicts which could be avoided by a clear and simple text.

4. Paragraph 2, subparagraph (b), of article 9, entitled "Non bis in idem", opens up the possibility of endless controversies.

In the draft resolution, the Security Council does not clearly specify which authority or organ is competent to determine whether the national court proceedings were not impartial or independent or were designed to shield the accused from international criminal responsibility, or whether the case was not diligently prosecuted.

The Government of Zaire considers that the organ responsible for dealing with this matter must be designated by name. Zaire's choice would be the International Court of Justice, a respectable institution, or the international criminal court the draft statute of which is being considered by the Sixth Committee of the General Assembly.

The Government of Zaire cannot accept that the Security Council, which is an eminently political organ, should arrogate unto itself the power to determine the validity of judicial proceedings or of a judicial decision.

S/1994/1267
English
Page 3

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) LUKABU KHABOUJI N'ZAJI
Deputy Permanent Representative
Chargé d'affaires a.i.



Security Council

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9 November 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 8 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the continuing violations of the cease-fire provisions and of the terms of the Tehran Agreement governing the area of separation between Iraq and Iran that were committed by the Iranian side during the period from 9 October to 6 November 1994.

1. Sunday, 9 October 1994

At 0930 hours and 1130 hours, an Iranian military helicopter was seen coming northwards from the direction of Shalamcheh. It flew at an altitude of 500 metres at a distance of 2 kilometres from the international border.

2. Wednesday, 12 October 1994

Armed Iranian military patrols seized two Iraqi fishing boats: No. 24, Dijlah, belonging to Iraqi citizen Abd al-Amir Khudayr Sultan; No. 71, Al-Mu'tasim Billah, belonging to Iraqi citizen Ali Husayn Haydar. The two boats were taken to the Iranian coast, together with the 19 Iraqi fishermen who had been on board fishing in Iraqi territorial waters in the Shatt al-Arab. Their names are as follows:

1. Abd al-Amir Khudayr Sultan
2. Abd al-Imam Jasim Mu'arij
3. Abd al-Karim Shahbaz Abd al-Karim
4. Hamid Hamidi Salih
5. Jasib Ayyub Abd al-Rasul
6. Adil Abd al-Razzaq Mahmud
7. Hamid Khudayr Sultan



8. Majid Hamid Hamidi
9. Abd al-Shahid Ali Husayn
10. Ibrahim Qasim Hashim
11. Kazim Salman Abd Ali
12. Abd al-Rida Aziz Muslim
13. Jasim Za'lan Ghabish
14. Hamud Abd al-Husayn Abbas
15. Hasan Abd al-Husayn Abbas
16. Mahdi Hasan Ali
17. Muhammad Khalil Taha
18. Abd Ali Fadl Husayn
19. Yusuf Sabti Haydar

3. Sunday, 6 November 1994

At 0035 hours, 0040 hours and 0130 hours, the Iranian side fired three Scud surface-to-surface missiles from inside Iranian territory, in the region of Naft-e Shah, into Iraqi territory to a depth of over 80 kilometres. This resulted in considerable damage to individuals and property (see our letter S/1994/1260 of 7 November 1994).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative
